



BURLINGTON POLICE DEPARTMENT
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Chief of Police

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Public Records Request

Pursuant to 1 V.S.A. § 310-320, I, Joseph Cleary am requesting the following records from the Burlington Police Department:

1060007985 - involving wife (Teresa), daughter (Juniper),
and Luke Purvis

Request Date: 8/17/2016

Please clarify or explain your request if necessary:

Signature

You have the right to appeal a determination that a record is exempt to the agency head, pursuant to 1 V.S.A. § 318. Such an appeal will be decided within 5 business days of the receipt of your appeal. If you are aggrieved by a denial by the agency head, you may then appeal to the superior court pursuant to 1 V.S.A. § 319.

RECORDS USE ONLY

This request is redacted by NRB on 8/17/2016

The reasons for redaction, narrowing, or denial are that releasing these records:

- ☐ Could reasonably be expected to interfere with enforcement proceedings
- ☐ Would deprive a person of a right to a fair trial or an impartial adjudication
- ☒ Could reasonably be expected to constitute an unwarranted invasion of personal privacy
- ☐ Could reasonably be expected to disclose the identity of a confidential source
- ☐ Would disclose police techniques and procedures, risking circumvention of the law
- ☐ Could reasonably be expected to endanger the life or physical safety of any individual
- ☐ Other

~~Respect Honor Remember~~

Officer James P. McGrath, end of watch May 12, 1904; Officer J. Albert Fisher, end of watch December 15, 1947;
Officer Robert W. Provost, end of watch January 13, 1954

Incident Detail - : 284: Cousins, Jennifer

Incident Number: 16BU007985
Call Time: Sun Mar 27 09:13:35 -0400 2016
Call Type: Assist - Public
Primary Ofc.: 284: Cousins, Jennifer

Occurred From	Occurred To	Invest./Primary Officer
03/27/2016 09:13	03/27/2016 09:13	284: Cousins, Jennifer
Attachment	Description	Uploaded at
Image/Photo	Photos	03/27/2016 10:25 Image.jpeg 284: Cousins, J <input type="checkbox"/> Confidential
Attachment	Description	Uploaded at
Image/Photo	Photos	03/27/2016 10:25 Image.jpeg 284: Cousins, J <input type="checkbox"/> Confidential
<input type="checkbox"/> TRO/FRO	<input type="checkbox"/> Alcohol	<input type="checkbox"/> 911 Call
<input type="checkbox"/> Medical	<input type="checkbox"/> Audio	<input type="checkbox"/> DCF Notified
<input type="checkbox"/> Crisis Svc	<input type="checkbox"/> Swabbings	<input type="checkbox"/> SIU
<input type="checkbox"/> SVU Contact	<input type="checkbox"/> Exists	<input type="checkbox"/> Involved
<input type="checkbox"/> Contacted	<input type="checkbox"/> Photos Taken	<input type="checkbox"/> Prints Lifted
<input type="checkbox"/> Diagrams	<input type="checkbox"/> Clothing	<input type="checkbox"/> K9
<input type="checkbox"/> Miranda	<input type="checkbox"/> Other	<input type="checkbox"/> Crime Scene
<input type="checkbox"/> Lpr Used	<input type="checkbox"/> Video	<input type="checkbox"/> Recordings
<input type="checkbox"/> Evidence	<input type="checkbox"/> Warning	<input type="checkbox"/> Evidence
<input type="checkbox"/> Processed	<input type="checkbox"/> Opiate blocker	
Evid. Search Conducted	Physical Evidence	Media/Press Summary

Category	Sub category	Violation	Counts	#Premises
Comm/Att	IBR Scene/Loc Typ	IBR Crim Act Typ	IBR Gang Affil	IBR Agg.Aslt/Hom.
Point Of Entry	Force/No Force	Point of Exit	Campus Code	Justifiable Homicide
				NIBRS Override
				Significant Event

Narrative Type Officer
Report 284: Cousins, J

Narrative

On above date and time, I responded to a Public Assist at 158 No. Willard St. On arrival, I met with complainant John Cleary who advised he has ongoing issues with his neighbor, Luke Purvis, at 164 No. Willard St.

Cleary walked out to the base of the driveway at 164 No. Willard St. while speaking with me. He pointed toward a male in the driveway and advised that was Purvis.

He advised they have an ongoing dispute over land rights. He advised his property extends north almost to the southern edge of Purvis' driveway, but there is an "easement" just south of Purvis' driveway that Purvis is allowed to park on.

Cleary has been unable to get the courts to rule that he can possess his entire land parcel and make it so Purvis can't use that easement for parking, but they are going to a hearing in May in Superior Court about this issue.

Cleary advised he called police this morning because Purvis had parked a car (latter determined to be his sister, vehicle, bearing VT registration) on the easement and the front bumper bumped his fence, causing it to move. He said he is concerned Purvis will damage his fence doing this over time. I told him I would document this incident and I took photos of the bumper touching the fence. I inspected that area and did not observe any damage.

I met with Purvis, who was very angry and shaking when we spoke. He said he would not move the car, even if asked, and that Cleary had the fence put up in the two day period he was out of town at Christmas time. In his opinion, Cleary is in violation by constructing a fence several feet onto the easement where Purvis can, by contract, park on the easement.

I advised Purvis I would document this incident and that, if he continues to park against the fence, and this causes damage to the fence, I would likely write up a report and forward it to the State's Attorney's Office for review for prosecution for Unlawful Mischief. Purvis advised he would deal with that at

the-time if that should happen and he believes he is in the right because he believes Cleary is in violation for building a fence several feet into easement land that Purvis is authorized to park on.

Just prior to me leaving, I met with Cleary and his wife at their front porch area. Cleary's daughter, Juniper Cleary, then said she had just seen Purvis back his other car (not the one that was touching the fence initially) up and drive it forward into the fence, causing it to move "a lot". I then observed Purvis pull out of the driveway in his black Subaru wagon (registration not attached) smiling and he and Cleary argued a bit back and forth in front of me before he drove away. I inspected the fence in that new area and did not see any damage.

Cleary said he is concerned Purvis will continue to hit he fence now that he knows it angers Cleary and his wife and he fears it will damage the fence. Further, he said he had the fence put up as a safety measure because his kids play in the backyard.

Also, just FYI, Purvis installed surveillance cameras that I believe face the driveway and easement area because he said Purvis screams at him from the back yard and spits over the fence onto his vehicles.

I emailed our community liaison, Lacey Smith, and asked her to reach out to these parties. I notified Sgt. Nadeau of this incident.

Narrative Type *Officer*
Report 1055: Smith, L:

Narrative

I received an email from Crpl. Cousins in regard to this incident. I agreed to follow up with both tenants. I did express a limit to how much I would be able to mediate the situation as it appears as if neither man is willing to find a common ground, given of their dispute. I will offer to both gentlemen, the potential for mediation, as they have a court case in May that has the potential to settle the dispute.

<i>Offense Suspect</i>	<i>Offense Victim</i>	<i>IBR Victim-Offender</i>	<i>Bias/Motivation (anti)</i>
<i>V was LEO</i>	<i>V was LEO Assignment</i>	<i>Other ORI</i>	<i>LEOKA Narrative</i>